

**In the United States District Court
for the Southern District of Georgia
Brunswick Division**

FILED
John E. Triplett, Acting Clerk
United States District Court
By casbell at 1:08 pm, Oct 01, 2020

OLD REPUBLIC GENERAL INSURANCE
CORPORATION,

Plaintiff,

v.

CERES ENVIRONMENTAL SERVICES,
INC.; DAVID ALLISON; SHARON
ALLISON; GLYNN COUNTY, GEORGIA;
and GLYNN COUNTY AIRPORT
COMMISSION,

CV 2:19-083

Defendants.

CERES ENVIRONMENTAL SERVICES,
INC.,

Third-Party Plaintiff,

v.

EVANSTON INSURANCE COMPANY,

Third-Party Defendant.

ORDER

Before the Court are Plaintiff Old Republic General Insurance Corporation's ("Old Republic") motion to dismiss certain parties, dkt. no. 46, and motion to withdraw its motion for summary judgment, dkt. no. 47. Defendants having filed no opposition, these motions are ripe for review.


Old Republic informs the Court that it participated in mediation with Defendants Ceres Environmental Services ("Ceres"), Glynn County, Georgia ("Glynn County"), and Glynn County Airport Commission ("GCAC") regarding Defendants David and Sharon Allison's underlying insurance coverage lawsuit ("Allison Lawsuit"). Evanston Insurance Company ("Evanston") was invited to participate in the mediation but chose not to do so. At mediation, Old Republic and Ceres arrived at a compromise to settle the Allison Lawsuit. As such, Old Republic argues the Allisons, Glynn County and GCAC are no longer necessary parties to this litigation. Old Republic now moves to dismiss those Defendants from this case. There being no opposition from the only remaining party Evanston, and there appearing to be no justiciable controversy in which the Allisons, Glynn County and GCAC have any interest or potential interest, Old Republic's motion to dismiss these Defendants is **GRANTED**. Dkt. No. 46. The Clerk is **DIRECTED** to terminate these parties as Defendants in this action.

Old Republic has also filed a motion to withdraw its motion for summary judgment against all Defendants. Dkt. No. 47. Defendants having filed no opposition to the motion, and in light of the resolution of Old Republic's claims against the Allisons, Glynn County and GCAC, as well as the Magistrate Judge having granted Evanston's motion to extend the deadline for filing motions, the Court **GRANTS** Old Republic's motion to withdraw its

motion for summary judgment. Dkt. No. 47. The Clerk is **DIRECTED** to terminate the motion for summary judgment, dkt. no. 31, as **WITHDRAWN**.

Old Republic and Ceres intend to continue to pursue their claims for reimbursement from Evanston. Indeed, Old Republic and Ceres have requested leave of Court to amend both the complaint and the third-party complaint in order to seek a declaratory judgment against Evanston. Dkt. No. 48. That motion not being ripe, the Court will address it on a later date.

SO ORDERED, this 1st day of October, 2020.



HON. LISA GODBEY WOOD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA